
EXHIBIT A

Jon Rastegar

From: Jon Rastegar
Sent: Saturday, July 28, 2018 7:25 PM
To: Nicole Sara Cunningham; CCE Pillsbury Team
Cc: CCE982@bcpc-law.com; Nash, Brian C.
Subject: Re: Activity in Case 6:16-cv-00363-KNM Cellular Communications Equipment LLC v. HTC Corporation et al Order
Attachments: 2018-07-28 - CCE363 - Stip re Dkt No 148.docx

Nicole,

Given that the Court's order uses the word controlling, we believe it appropriate to submit a stipulation notifying the Court that the parties intend to address the larger phrase "control ... whether the application program behaves in a predetermined manner." To that end, I have attached a draft stipulation that we would like to file Monday morning. Please let us know if we have your permission to file.

Further, CCE's briefing will rely on ZTE's representation that it will not seek a construction or attempt to explain the plain and ordinary meaning of the above phrase. Accordingly, if ZTE deviates from this position, CCE will seek leave to file a reply brief. Please let us know if ZTE will oppose this relief.

Jon

From: Cunningham, Nicole S. <nicole.cunningham@pillsburylaw.com>
Sent: Wednesday, July 25, 2018 2:00 PM
To: Jon Rastegar; CCE Pillsbury Team
Cc: CCE982@bcpc-law.com; Nash, Brian C.
Subject: RE: Activity in Case 6:16-cv-00363-KNM Cellular Communications Equipment LLC v. HTC Corporation et al Order

Yes, we agree.

Nicole S. Cunningham | Partner

Pillsbury Winthrop Shaw Pittman LLP
501 West Broadway, Suite 1100 | San Diego, CA 92101-3575
t 619.544.3123
nicole.cunningham@pillsburylaw.com | website bio

From: Jon Rastegar <jrastegar@bcpc-law.com>
Sent: Wednesday, July 25, 2018 11:15 AM
To: Cunningham, Nicole S. <nicole.cunningham@pillsburylaw.com>; CCE Pillsbury Team <CCEPillsburyTeam@pillsburylaw.com>
Cc: CCE982@bcpc-law.com
Subject: Re: Activity in Case 6:16-cv-00363-KNM Cellular Communications Equipment LLC v. HTC Corporation et al Order

Nicole,

Thanks, does ZTE also agree that the Court's order contemplates construction of the phrase "control ... whether the application program behaves in a predetermined manner"?

Jon

From: Cunningham, Nicole S. <nicole.cunningham@pillsburylaw.com>
Sent: Wednesday, July 25, 2018 1:04 PM
To: Jon Rastegar; CCE Pillsbury Team
Cc: CCE982@bcpc-law.com
Subject: RE: Activity in Case 6:16-cv-00363-KNM Cellular Communications Equipment LLC v. HTC Corporation et al Order

Jon,

With respect to ZTE's construction, as articulated at the hearing last week, we have no construction and we would go with the plain and ordinary meaning. We would appreciate CCE's proposed construction by the end of the day today.

Best Regards,
Nicole

Nicole S. Cunningham | Partner
Pillsbury Winthrop Shaw Pittman LLP
501 West Broadway, Suite 1100 | San Diego, CA 92101-3575
t 619.544.3123
nicole.cunningham@pillsburylaw.com | website bio

From: Jon Rastegar <jrastegar@bcpc-law.com>
Sent: Wednesday, July 25, 2018 9:15 AM
To: CCE Pillsbury Team <CCEPillsburyTeam@pillsburylaw.com>
Cc: CCE982@bcpc-law.com
Subject: Re: Activity in Case 6:16-cv-00363-KNM Cellular Communications Equipment LLC v. HTC Corporation et al Order

Nicole,

Following up on this and our phone conversation yesterday, please provide ZTE's proposed construction for the phrase "control ... whether the application program behaves in a predetermined manner." We intend to contact the Court this afternoon if we have not heard from you.

Regards,
Jon

From: Jon Rastegar
Sent: Tuesday, July 24, 2018 2:00 PM
To: CCEPillsburyTeam@Pillsburylaw.com
Cc: CCE982@bcpc-law.com
Subject: FW: Activity in Case 6:16-cv-00363-KNM Cellular Communications Equipment LLC v. HTC Corporation et al Order

Counsel,

In light of the Court's order, CCE requests that ZTE identify its proposed construction for the phrase "control ... whether the application program behaves in a predetermined manner."

Regards,
Jon

BRAGALONE CONROY PC

Jonathan H. Rastegar
Direct Dial: 214-785-6688

From: txedCM@txed.uscourts.gov [mailto:txedCM@txed.uscourts.gov]

Sent: Wednesday, July 18, 2018 4:41 PM

To: txedcmcc@txed.uscourts.gov

Subject: Activity in Case 6:16-cv-00363-KNM Cellular Communications Equipment LLC v. HTC Corporation et al Order

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

NOTE TO PUBLIC ACCESS USERS Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court [LIVE]
Eastern District of TEXAS

Notice of Electronic Filing

The following transaction was entered on 7/18/2018 at 4:40 PM CDT and filed on 7/18/2018

Case Name: Cellular Communications Equipment LLC v. HTC Corporation et al

Case Number: [6:16-cv-00363-KNM](#)

Filer:

Document Number: [148](#)

Docket Text:

ORDER FOR BRIEFING ON CLAIM CONSTRUCTION re [92] PLAINTIFFS DAUBERT MOTION TO EXCLUDE OR LIMIT THE TESTIMONY OF ZTES INVALIDITY EXPERT DR. CHRIS HEEGARD. The Court ORDERS that the parties submit supplemental briefing addressing their respective constructions of the phrase "controlling." Plaintiff shall submit a brief no longer than 10 pages by July 30, 2018. Defendants shall submit a responsive brief no longer than 10 pages by August 6, 2018. Signed by Magistrate Judge K. Nicole Mitchell on 7/18/2018. (rlf,)

6:16-cv-00363-KNM Notice has been electronically mailed to:

Jennifer Parker Ainsworth jainsworth@wilsonlawfirm.com, whesse@wilsonlawfirm.com

Harry Lee Gillam, Jr gil@gillamsmithlaw.com, 1287420420@filings.docketbird.com,
7882699420@filings.docketbird.com, 8088162420@filings.docketbird.com, ecfnotices.gsl@gmail.com,
wendy@gillamsmithlaw.com, wrlamb@gillamsmithlaw.com

Jack Wesley Hill wh@wsfirm.com, ak@wsfirm.com, hmarlowe@wsfirm.com, wbc@wsfirm.com

Michael E Jones mikejones@potterminton.com, CMECF@potterminton.com,

amandatekell@potterminton.com, jovalley@potterminton.com

Herbert A Yarbrough, III trey@yw-lawfirm.com, dallas@yw-lawfirm.com, lisa@yw-lawfirm.com,
valorie@yw-lawfirm.com

Jeffrey Ray Bragalone jbragalone@bcpc-law.com, BCPCserv@bcpc-law.com

Eric Hugh Findlay efindlay@findlaycraft.com, bcraft@findlaycraft.com, dgunter@findlaycraft.com,
ncadenhead@findlaycraft.com, shene@findlaycraft.com

Robert William Weber bweber@smithweber.com, mhelms@smithweber.com

Thomas John Ward, Jr jw@wsfirm.com, ak@wsfirm.com, hmarlowe@wsfirm.com, wbc@wsfirm.com

Melissa Richards Smith melissa@gillamsmithlaw.com, 4293145420@filings.docketbird.com,
7882699420@filings.docketbird.com, april@gillamsmithlaw.com, diana@gillamsmithlaw.com,
ecfnotices.gsl@gmail.com, gsldocket@gillamsmithlaw.com, nicole@gillamsmithlaw.com,
wendy@gillamsmithlaw.com, wrlamb@gillamsmithlaw.com

Inge Larish ilarish@bakerlaw.com, dmadams@bakerlaw.com

Ray R Zado rayzado@quinnmanuel.com, shalondacastanon@quinnmanuel.com

Patrick Colbert Clutter, IV patrickclutter@potterminton.com, jovalley@potterminton.com

Alexander Chester Giza agiza@houston.com, docketing@houston.com

Bradley Wayne Caldwell bcaldwell@caldwellcc.com, bdefeo@caldwellcc.com, mdelaney@caldwellcc.com,
sross@caldwellcc.com

Christopher Wood Kennerly chriskennerly@paulhastings.com, katieringel@paulhastings.com,
nanettecosentino@paulhastings.com

Allen Franklin Gardner allen@allengardnerlaw.com, 3032063420@filings.docketbird.com

Howard Neil Wisnia howard.wisnia@pillsburylaw.com, lori.siron@pillsburylaw.com

Kfir B Levy klevy@mayerbrown.com, kfir_levy@yahoo.com, wdc.docket@mayerbrown.com

Edward R Nelson, III ed@nelbum.com, alissa@nelbum.com, patrice@nelbum.com, rylie@nelbum.com

Kevin P.B. Johnson kevinjohnson@quinnmanuel.com, calendar@quinnmanuel.com,
jackievalenzuela@quinnmanuel.com

Victoria Fishman Maroulis victoriamaroulis@quinnmanuel.com, rachellaripez@quinnmanuel.com

William P Atkins william.atkins@pillsburylaw.com, docket@pillsburylaw.com,
martha.gregory@pillsburylaw.com

Jason Dodd Cassady jcassady@caldwellcc.com, bdefeo@caldwellcc.com

Charles Bennett Molster, III cmolster@molsterlaw.com

Claire Abernathy Henry claire@wsfirm.com, ak@wsfirm.com, hmarlowe@wsfirm.com, wbc@wsfirm.com

Thomas M Dunham tdunham@winston.com, lffowler@winston.com, thomas-dunham-1911@ecf.pacerpro.com, tom@dunham.cc

Marissa Rachel Ducca marissaducca@quinnemanuel.com, melissarichardson@quinnemanuel.com

Brian Christopher Nash brian.nash@pillsburylaw.com, cody.gartman@pillsburylaw.com, docket@pillsburylaw.com

John Austin Curry acurry@caldwellcc.com

Ryan P Griffin ryan@nbafirm.com, alissa@nbafirm.com, rylie@nbafirm.com

Roshan Suresh Mansinghani roshan.mansinghani@bakerbotts.com, roshan-mansinghani-4572@ecf.pacerpro.com

Callie McCarthy Bjurstrom callie.bjurstrom@pillsburylaw.com, karen.zekan@pillsburylaw.com

Mark W McGrory mark.mcgrory@eriseip.com, docketing@eriseip.com, tim.ramaakers@eriseip.com

Megan Joanna Redmond megan.redmond@eriseip.com, docketing@eriseip.com, zila.welsh@eriseip.com

Michael W Maas mmaas@mayerbrown.com, wdc.docket@mayerbrown.com

Thomas Christopher Cecil tom@nelbum.com, alissa@nelbum.com, ericca@nelbum.com

Jonathan Hart Rastegar jrastegar@bcpc-law.com, bcpcserv@bcpc-law.com

Dallas William Tharpe dallas@yw-lawfirm.com, lisa@yw-lawfirm.com, valorie@yw-lawfirm.com

Terry Afif Saad tsaad@bcpc-law.com, BCPCserv@bcpc-law.com

John Charles Hueston jhueston@hueston.com, docketing@hueston.com, lhiles@hueston.com

Jeffrey David Comeau jeffreycomeau@paulhastings.com, karenobrien@paulhastings.com, katieringel@paulhastings.com

Douglas James Dixon DDixon@hueston.com, docketing@hueston.com, sjones@hueston.com

Deepa Acharya deepaacharya@quinnemanuel.com, melissarichardson@quinnemanuel.com, shelleywashingt@quinnemanuel.com

Steven Arthur Moore steve.moore@pillsburylaw.com, cody.gartman@pillsburylaw.com, docket@pillsburylaw.com, firmwidecalendardocket@pillsburylaw.com, luis.perez@pillsburylaw.com, mary.shea@pillsburylaw.com, michael.walsh@pillsburylaw.com, sandra.edge@pillsburylaw.com, sarah.taylor@pillsburylaw.com, stacey.campbell@pillsburylaw.com

Nicole Sara Cunningham nicole.cunningham@pillsburylaw.com, docket@pillsburylaw.com,

lauren.wardle@pillsburylaw.com, lori.siron@pillsburylaw.com, luis.perez@pillsburylaw.com,
mary.shea@pillsburylaw.com, michael.walsh@pillsburylaw.com, sarah.taylor@pillsburylaw.com

Rafik Paul Zeineddin paul@zeineddin.com, paul@zeineddins.com

Caroline Ann Bader carrie.bader@eriseip.com, docketing@eriseip.com

Andrea Leigh Fair andrea@wsfirm.com, ak@wsfirm.com, hmarlowe@wsfirm.com, wbc@wsfirm.com

Robert Gary Pluta rpluta@mayerbrown.com, courtnotification@mayerbrown.com, rgpluta@gmail.com

Sara Jean O'Connell sara.oconnell@pillsburylaw.com, docket@pillsburylaw.com,
firmwidecalendardocket@pillsburylaw.com, luis.perez@pillsburylaw.com, michael.walsh@pillsburylaw.com,
nannie.quimpo@pillsburylaw.com, sarah.taylor@pillsburylaw.com

Hyunho Park harrypark@mayerbrown.com, hparkip@gmail.com

Jamie B Beaber jbeaber@mayerbrown.com, kdandrea@mayerbrown.com, tives@mayerbrown.com,
tmiller@mayerbrown.com, wdc.docket@mayerbrown.com, ysung@mayerbrown.com

Warren Joseph McCarty, III wmccarty@caldwellcc.com, bdefeo@caldwellcc.com

Brian E Mack brianmack@quinnmanuel.com, demeschaking@quinnmanuel.com

Jonas P Herrell jonasherrell@paulhastings.com, kimberlyfitch@paulhastings.com

James S Tsuei jtsuei@durietangri.com, docketing@durietangri.com

Matthew Robert Stephens matthew.stephens@pillsburylaw.com, lori.siron@pillsburylaw.com,
mary.shea@pillsburylaw.com

Jerry Tice, II jtice@bcpc-law.com, bcpcserv@bcpc-law.com, jerry-tice-4070@ecf.pacerpro.com

Lauren E Wardle lauren.wardle@pillsburylaw.com, nannie.quimpo@pillsburylaw.com

6:16-cv-00363-KNM Notice will not be electronically mailed to:

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: n/a

Electronic document Stamp:

[STAMP_dcecfStamp_ID=1041545818 [Date=7/18/2018] [FileNumber=11465935-0] [1fd1a28744179520ee920e007e4e2bb812b491c762ad3cb6842190e76b968f7c71158270fd184a4fd76c275678a4b5311c55ffecba5f41c27738aa377bc20818]]

The contents of this message, together with any attachments, are intended only for the use of the individual or entity to which they are addressed and may contain information that is legally privileged, confidential and exempt from disclosure. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this message, or any attachment, is strictly prohibited. If you have received this

message in error, please notify the original sender or the Pillsbury Winthrop Shaw Pittman Help Desk at Tel: 800-477-0770, Option 1, immediately by telephone or by return E-mail and delete this message, along with any attachments, from your computer. Thank you.

The contents of this message, together with any attachments, are intended only for the use of the individual or entity to which they are addressed and may contain information that is legally privileged, confidential and exempt from disclosure. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this message, or any attachment, is strictly prohibited. If you have received this message in error, please notify the original sender or the Pillsbury Winthrop Shaw Pittman Help Desk at Tel: 800-477-0770, Option 1, immediately by telephone or by return E-mail and delete this message, along with any attachments, from your computer. Thank you.